

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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DESIREE MOHAWK,

Plaintiff,

v.

KEY MOTORS OF RENO, LLC, *et al.*,

Defendants.

Case No. 3:24-CV-00193-ART-CLB

**ORDER TO FILE JOINT PROPOSED
DISCOVERY PLAN AND SCHEDULING
ORDER**

Plaintiff Desiree Mohawk (“Mohawk”) initiated this action on April 29, 2024 by filing a motion for leave to proceed in forma pauperis and complaint. (ECF No. 1.) Ultimately, the Court denied Mohawk’s IFP application and ordered her to pay the filing fee. (See ECF No. 7.) Mohawk paid the filing fee on June 20, 2024, (ECF No. 8), and the complaint was filed on August 16, 2024, (ECF No. 10). Summons were issued that same day. (ECF No. 11.) On January 13, 2025, Defendant Tom Cheers (“Cheers”) filed a motion to dismiss.¹ (ECF No. 13.) On January 14, 2025, the Court ordered the parties to submit a joint case management report by Friday, February 28, 2025. (See ECF No. 16). The parties failed to do so. Additionally, the parties failed to submit their Stipulated Discovery Plan and Scheduling Order. (See ECF No. 13). Thus, the Court granted a *sua sponte* extension to March 12, 2025 to file their joint case management report and Proposed Discovery Plan and Scheduling Order. (ECF No. 28.) On March 12, 2025, Mohawk filed her case management report. (ECF No. 29.) However, Cheers has failed to comply. Further, the parties have not submitted a Joint Proposed Discovery Plan and Scheduling Order.

¹ To the extent Cheers believes that the filing of his motion to dismiss stayed discovery, this is not the case. See, e.g., *Ministerio Roca Solida v. U.S. Dep’t of Fish & Wildlife*, 288 F.R.D. 500, 2013 WL 150185, *2 (D. Nev. Jan. 14, 2013) (“The Federal Rules of Civil Procedure do not provide for automatic or blanket stays of discovery when a potentially dispositive motion is pending.”); *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 600 (D. Nev. 2011) (same).

1 Accordingly, the parties **SHALL SUBMIT** their joint **Proposed Stipulated**
2 **Discovery Plan and Scheduling Order**, in accordance with LR 26-1, on or
3 before **Friday, March 21, 2025**. Failure to timely comply with this order will result in
4 sanctions.

5 **IT IS SO ORDERED.**

6 **DATED:** March 18, 2025
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UNITED STATES MAGISTRATE JUDGE